

- I. Expand the definition of “dependent” to extend the limiting age of non-disabled dependent children and/or to include grandchildren of policyholders.
  - A. Currently, Washington law does not specify a limiting age for coverage of dependent children. As a matter of common practice, carriers defines a dependent child as one who is under the age of 19, or if the dependent child is enrolled in school as a full-time student, the limiting age is extended to 23.
    1. RCW 48.43.005 defined “dependent” as “at a minimum, the enrollee's legal spouse and unmarried dependent children who qualify for coverage under the enrollee's health benefit plan.
    2. RCW 48.46.320 states that:

“Any health maintenance agreement which provides that coverage of a dependent child shall terminate upon attainment of **the limiting age for dependent children specified in the agreement** shall also provide in substance that attainment of such limiting age shall not operate to terminate the coverage of such child while the child is and continues to be both: (1) Incapable of self-sustaining employment by reason of developmental disability or physical handicap; and (2) chiefly dependent upon the subscriber for support and maintenance, if proof of such incapacity and dependency is furnished to the health maintenance organization by the enrolled participant within thirty-one days of the child's attainment of the limiting age and subsequently as required by the health maintenance organization but not more frequently than annually after the two-year period following the child's attainment of the limiting age.” (Emphasis added).
  - B. Possible models
    1. Age:

Utah law specifies that an individual or group policy that provides coverage for dependents “shall not terminate coverage of an unmarried dependent by reason of the dependent’s age before the dependent’s 26<sup>th</sup> birthday and shall, upon application, provide coverage for all unmarried dependents up to age 26.” *See* 31A-22-610.5

FEHBP defines “eligible dependent children” as children who are unmarried and under the age of 22.
    2. Grandchildren:

Texas law includes in the definition of “dependent” the grandchild of a policyholder, regardless of whether the member treats the grandchild as a dependent for tax purposes, so long as the grandchild is less than 21 years old and is living with the member. The definition also includes children of

a member's child, provided that the member's child is less than 25 years old and is a dependent of the policyholder for federal tax purposes.

II. Mandate that all post-secondary full-time students have health insurance

- A. Currently, Washington law only requires that foreign students on temporary visas attending the UW have accident and illness insurance. *See* WAC 478-160-260. However, a recent New York Times article states that:

Stephen L. Beckley, a health care and benefits consultant in Fort Collins, Colo., said that roughly 25 percent of public colleges and about 90 percent of private colleges now require that students have insurance as a condition of enrollment.

*New York Times*, August 10, 2003.

B. Possible models

1. Massachusetts law requires that "every full-time and part-time student enrolled in a certificate-, diploma-, or degree-granting program of higher education must participate in a qualifying student health insurance program or in a health benefit plan with comparable coverage." The law outlines what benefits are offered under the student health insurance program. *See* 114.6 CMR 3.03 *et seq.*
2. New Jersey law requires that "[e]very student enrolled as a full-time student at a public or private institution of higher education in [the] State shall maintain health insurance coverage which provides basic hospital benefits. The coverage shall be maintained throughout the period of the student's enrollment." The law also requires all public or private institutions of higher education to offer health insurance for purchase by students. *See* 18A:62-15
3. The Idaho State Board of Education Policies and Procedures requires that "[e]very full-fee paying [postsecondary] student (as defined by each institution) attending classes in Idaho shall be covered by health insurance. Students shall purchase health insurance offered through the institution, or may instead, at the discretion of each institution, present evidence of health insurance coverage that is at least substantially equivalent to the health insurance coverage offered through the institution. Students without evidence of insurance coverage shall be ineligible to enroll at the institution." *See* III P. 16